

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 463

Designation under the Plenary Powers of a type species
in harmony with accustomed usage for the genus *Oxypoda*
Mannerheim, 1831 (Class Insecta, Order Coleoptera)

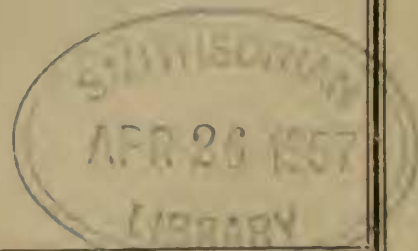
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 463

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OPINION 463

DESIGNATION UNDER THE PLENARY POWERS OF A
TYPE SPECIES IN HARMONY WITH ACCUSTOMED
USAGE FOR THE GENUS "OXYPODA"
MANNERHEIM, 1831 (CLASS INSECTA,
ORDER COLEOPTERA)

RULING :—(1) Under the Plenary Powers (a) all selections of type species for the genus *Oxypoda* Mannerheim, 1831 (Class Insecta, Order Coleoptera) made prior to the present Ruling are hereby set aside and (b) the nominal species *Oxypoda spectabilis* Maerkel, 1844, is hereby designated to be the type species of the foregoing genus.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* with the Name No. 1078 :—

Oxypoda Mannerheim, 1831 (gender : feminine) (type species, by designation under the Plenary Powers in (1)(b) above : *Oxypoda spectabilis* Maerkel, 1844) ;

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name No. 1156 :—

spectabilis Maerkel, 1844, as published in the combination *Oxypoda spectabilis* (specific name of type species of *Oxypoda* Mannerheim, 1831) ;

(4) The under-mentioned family-group name is hereby placed on the *Official List of Family-Group Names in Zoology* with the Name No. 150 :—

OXYPODIDES Thomson, 1859 (a name given to a taxon treated by the author as a sub-tribe) (type genus : *Oxypoda* Mannerheim, 1831) ;

(5) The under-mentioned family-group name is hereby placed on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* with the Name No. 186 :—

OXYPODATES Mulsant & Rey, 1874 (type genus : *Oxypoda* Mannerheim, 1831) (invalid because a vernacular (French) word).

I. THE STATEMENT OF THE CASE

The subject dealt with in the present *Opinion* was first brought to the notice of the Office of the Commission in a letter dated 22nd November 1949 with which Mr. N. D. Riley, at that time Secretary to the Royal Entomological Society of London, transmitted a copy of Part 9 of the Society's publication *The Generic Names of British Insects* in which a proposal was made that the International Commission on Zoological Nomenclature should be asked to use its Plenary Powers to designate a type species in harmony with current usage for the genus *Oxypoda* Mannerheim, 1831 (Class Insecta, Order Coleoptera).¹ It was not possible for any progress to be made with this case at that time but in the autumn of 1954 consultations in regard to this matter took place between the Secretary to the Commission, Mr. C. E.

¹ The Part of the work *The Generic Names of British Insects* containing this recommendation was published on 30th August 1949 (*Gen. Names Brit. Ins.* (9) : 344—466).

Tottenham (one of the specialists who had participated in preparing the proposals set out in the *Generic Names of British Insects*) and Mr. J. Balfour-Browne (*British Museum (Natural History), London*), who by this date had become the Editor of the publications of the Royal Entomological Society. These consultations culminated in the submission to the International Commission on 13th December 1954 of the following application :

Proposed use of the Plenary Powers to designate for "Oxypoda" Mannerheim, 1831, a genus based upon a misidentified type species, a type species in harmony with current usage (Class Insecta, Order Coleoptera)

By C. E. TOTTENHAM, M.A.

(*Zoological Museum, Cambridge University, Cambridge*)

The present application for the use by the International Commission on Zoological Nomenclature of its Plenary Powers to designate as the type species of the genus *Oxypoda* Mannerheim, 1831 (Class Insecta, Order Coleoptera) a species other than that which would be the type species under Article 30 of the *Règles* is submitted under the procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 158—159) as that to be followed in the case of genera based upon misidentified type species. The facts of this case are set out in the following paragraphs.

2. In 1831 (*Mém. Acad. imp. Sci. St. Petersb.* 1(5) : 483) Mannerheim established the nominal genus *Oxypoda*, in which he included a number of species, but for which he neither designated nor indicated a type species. The first of the species so included was cited as follows :—
" *ruficornis* Grav. Gyll. *Ins. Suec.* P.II, p. 422 ".

3. The first author validly to select a type species for the genus *Oxypoda* Mannerheim was Westwood who in 1838 (*Introd. mod. Classif. Ins.*, Syn. : 20) so selected the foregoing species referred to by him as "*Aleochara ruficornis* Grav.". It may be regarded as reasonably certain that the species to which Westwood referred was not the true *ruficornis* Grav. but was the species which Gyllenhal later misidentified with *ruficornis* of Gravenhorst and which was the species which Mannerheim included in his genus *Oxypoda* under that name. Not only was Westwood careful to select as type species species which had been included in the genera concerned by their respective authors, but in this case he gave *Oxypoda* Mannerheim as being equivalent to "*Aleochara* D." of Stephens' Catalogue. In this section of *Aleochara*, Stephens placed a number of species of *Oxypoda* (*sensu accepto*),

including "*ruficornis* Gr.". This species he described in his *Ill. Brit. Ent.*, Mand. (5 : 150), and it is obvious from his description that it was the Gyllenhal species to which he referred under the name *ruficornis*; furthermore, the true *ruficornis* Gravenhorst was not recognised by Stephens but was described by him in another section of *Aleochara* under the name *daltoni*. The species misidentified as *ruficornis* Gravenhorst by Gyllenhal, Mannerheim, Stephens and Westwood did not acquire a valid name until 1844 (*Z. Ent.* (Germar) 5 : 217) when Maerkel named it *Oxypoda spectabilis*. The true *Aleochara ruficornis* Gravenhorst, 1802, (*Coleopt. micropt. brunsvic.* : 91) was not among the species included by Mannerheim in his genus *Oxypoda*.

4. The present is thus a typical case of a nominal genus based upon a misidentified type species. If in accordance with the provisions of Article 30, it were necessary to accept the true *Aleochara ruficornis* Gravenhorst, 1802, as the type species of *Oxypoda* Mannerheim, 1802, the following consequences would ensue:—(1) The name *Oxypoda* Mannerheim, 1831, would fall as a junior subjective synonym of *Aleochara* Gravenhorst, 1802 (*Coleopt. micropt. brunsvic.* : 67) or—and this would be even more confusing—would replace *Ceranota* Stephens, 1839 (*Manual brit. Col.* : 351), with which it would become objectively synonymous, as the name for the subgenus of *Aleochara* Gravenhorst now known as *Ceranota* Stephens. (2) The little known name *Sphenoma* Mannerheim, 1831 (*Mém. Acad. imp. Sci. St. Petersb.* 1(5) : 482) would need to be used for the genus now universally known as *Oxypoda* Mannerheim. (3) A new subgeneric name would be needed for the species now placed in what is currently regarded as the nominate subgenus of *Oxypoda* Mannerheim. The genus *Oxypoda* Mannerheim would have as its type species a species not originally included by the author.

5. If on the other hand the Commission were to use its Plenary Powers for the purpose of designating *Oxypoda spectabilis* Maerkel, 1844 (=the species referred to by Mannerheim when he cited "*ruficornis* Grav. Gyll." as the first species in the genus *Oxypoda*) to be the type species of *Oxypoda* Mannerheim, the uniformity which has hitherto existed almost universally in the use of the very well-known name *Oxypoda* Mannerheim would be permanently established.

6. I accordingly submit the present application under the procedure prescribed by the International Congress of Zoology for adoption in cases such as the present. The application now submitted is that the International Commission on Zoological Nomenclature should:—

- (1) make a declaration that it is satisfied that Mannerheim misidentified the species *Aleochara ruficornis* Gravenhorst, 1802, and, as is clearly indicated by the reference he gave, intended to cite the species described under that name by Gyllenhal and placed by him (Mannerheim) in the genus *Oxypoda*

Mannerheim, 1831, and subsequently selected by Westwood (1838) to be the type species of that genus ;

- (2) consequently upon (1) above, use its Plenary Powers (a) to set aside all type-selections for the genus *Oxypoda* Mannerheim, 1831, made prior to the Ruling now asked for, and (b) designate *Oxypoda spectabilis* Maerkel, 1844, to be the type species of the foregoing genus ;
- (3) place the under-mentioned generic name on the *Official List of Generic Names in Zoology* :—*Oxypoda* Mannerheim, 1831 (gender : feminine) (type species, by designation under the Plenary Powers under (2) above : *Oxypoda spectabilis* Maerkel, 1844) ;
- (4) place the under-mentioned specific name on the *Official List of Specific Names in Zoology* :—*spectabilis* Maerkel, 1844, as published in the combination *Oxypoda spectabilis* (specific name of type species of *Oxypoda* Mannerheim, 1831) ;
- (5) place the under-mentioned family-group name on the *Official List of Family-Group Names in Zoology* :—OXYPODIDES Thompson, 1859 ;
- (6) place the under-mentioned invalid family-group name on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* :—OXYPODATES Mulsant & Rey, 1874 (invalid because a vernacular (French) word and not a Latin or Latinised word).

7. The present application in a slightly different form was submitted by myself in 1949 to the Coleoptera Sub-Committee of the Committee on Generic Nomenclature of the Royal Entomological Society of London. At that time the members of the Coleoptera Sub-Committee were, in addition to myself : H. E. Andrewes ; W. A. F. Balfour-Browne ; K. G. Blair ; M. Cameron. The Sub-Committee in its Third Report expressed its concurrence in the recommendations which I had submitted in the present case and attached my paper dealing with this and certain other names as Appendix II to its Report. The Sub-Committee's Report was submitted to, and approved by, the Committee on Generic Nomenclature, by which, through the Secretary, it was submitted to the Council of the Royal Entomological Society of London. At that time the Committee on Generic Nomenclature was composed as follows :—Francis Hemming (*Chairman*) ; W. A. F. Balfour-Brown ; K. G. Blair ; O. W. Richards ; N. D. Riley (*Secretary*). The documents referred to above were published by the Royal Entomological Society of London on 30th August 1949 in Part 9 of the work entitled *The Generic Names of British Insects* : 345—346 (Report of Committee on Generic Nomenclature) ; 347 (Third Report of the Coleoptera Sub-Committee) ; 444—449 ("Request for Rulings on Questions of Nomenclature" by C. E. Tottenham). I am informed

that on 22nd December 1949 the foregoing documents were communicated by the Society to the International Commission under cover of a letter by the Secretary commending, on behalf of the Council of the Society, the present and other proposals relating to nomenclature for favourable consideration by the Commission and expressing the hope that the material so submitted would prove sufficient for the purposes of the Commission. Unfortunately, circumstances have so far combined to prevent the Commission from taking this application into consideration, but the Secretary to the Commission has (October 1954) informed me that the Commission is now in a position to take up the study of applications with which it has not hitherto been able to deal and that it is its wish to arrange as soon as possible for the publication in the *Bulletin of Zoological Nomenclature* of the present application and also the other applications submitted in the Report referred to above. The present application is a revision of that submitted in 1949 carried out in order to comply with certain additional requirements imposed upon the Commission by the Thirteenth International Congress of Zoology, Paris, 1948, in relation both to the procedure to be followed in dealing with cases relating to the names of genera based upon misidentified type species and to the placing of names on the *Official Lists* established by the Congress.

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : When in 1949 Mr. N. D. Riley transmitted to the Office of the Commission a copy of the Royal Entomological Society's paper referred to in paragraph 1 above the question of the type species to be designated for the genus *Oxypoda* Mannerheim was allotted the Registered No. Z.N.(S.) 443.

3. Support for the present application received prior to its publication : At the time when the present application was prepared in 1949 the following specialists, in addition to Mr. Tottenham, were serving as members of the Coleoptera Subcommittee of the Royal Entomological Society's Committee on Generic Nomenclature and took part in the preparation and submission of the recommendations then formulated :—H. E. Andrewes ; W. A. F. Balfour-Browne ; K. G. Blair ; M. Cameron.

4. Publication of the present application : The present application was sent to the printer on 4th February 1955 and was published on 31st May in the same year in Part 6 of Volume 11 of the *Bulletin of Zoological Nomenclature* (Tottenham, 1955, *Bull. zool. Nomencl.* **11** : 176—178).

5. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 31st May 1955 (a) in Part 6 of Volume 11 of the *Bulletin of Zoological Nomenclature* (the Part in which Mr. Tottenham's application was published) and (b) to the other prescribed serial publications. In addition, such Notice was given also to four general zoological serial publications and to seven specialist serials in Europe and America.

6. No objection received : No objection to the action proposed in the present case was received from any source.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

7. Issue of Voting Paper V.P.(56)11 : On 29th February 1956 a Voting Paper (V.P.(56)11) was issued in which the Members of the Commission were invited to vote either for, or against, " the proposal relating to the generic name *Oxypoda* Mannerheim, 1831, as set out in Points (2) to (6) in paragraph 6 on pages 177 and 178 in Volume 11 of the *Bulletin of Zoological Nomenclature* " [i.e. in the paragraph numbered as above in the paper reproduced in the first paragraph of the present *Opinion*].

8. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 29th May 1956.

9. Particulars of the Voting on Voting Paper V.P.(56)11 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(56)11 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-five (25) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Hering ; Lemche ; do Amaral ; Bradley (J. C.) ; Vokes ; Mayr ; Dymond ; Bodenheimer ; Mertens ; Sylvester-Bradley ; Jaczewski ; Esaki ; Boschma ; Key ; Hankó ; Riley ; Prantl ; Stoll ; Hemming ; Cabrera ; Tortonese ; Bonnet ; Kühnelt ; Miller ;

(b) *Negative Votes :*

None ;

(c) *Voting Papers not returned :*

None.

10. Declaration of Result of Vote : On 30th May 1956, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(56)11, signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the

decision so taken was the decision of the International Commission in the matter aforesaid.

11. Preparation of the Ruling given in the present " Opinion " :
On 4th January 1957, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(56)11.

12. Original References : The following are the original references for the generic and specific names placed on *Official Lists* by the Ruling given in the present *Opinion* :—

Oxypoda, Mannerheim, 1831, *Mém. Acad. imp. Sci. St. Petersb.*
1(5) : 483

spectabilis, *Oxypoda*, Maerkel, 1844, *Z. Ent. (Germar)* **5 : 217**

13. The following are the original references for the family-group names placed respectively on the *Official List* and *Official Index* established for recording the names of taxa of the above category by the Ruling given in the present *Opinion* :—

OXYPODATES Mulsant & Rey, 1874, *Hist. nat. Coléopt. France*,
Brévip. Aléoch. (*Suite*) : 2, 199

OXYPODIDES Thomson (C. G.), 1859, *Skand. Coleopt.* **1 : 36**

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Opinion* shall be known as *Opinion* Four Hundred and Sixty-three (463) of the International Commission on Zoological Nomenclature.

DONE in London, this Fourth day of January, Nineteen Hundred and Fifty-seven.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING